Universitat de Girona Escola de Doctorat

# Code of Good Practices of the School of Doctoral Studies of the UdG

April 2012

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Universitat de Girona

# Code of Good Practices of the School of Doctoral Studies of the UdG

## 1. Introduction

The Code of Good Practices (CBP) of the School of Doctoral Studies of the University of Girona (EDUdG) is a set of recommendations and obligations covering research activity, intended to support quality research carried out at the EDUdG, to anticipate problems of behavioural integrity among its members and to promote good working and interpersonal relations between EDUdG staff and the rest of the University community.

The code's contents complement existing legal regulations, and are based on the European Charter for Researchers and other documents on good scientific practices in public research institutions.

This Code of Good Practices is a collective self-regulation instrument, approved, monitored and updated by the Executive Committee of the EDUdG and ratified by the Executive Council of the UdG.

The EDUdG was created by Regulatory Agreement of the Governing Council on 27 September 2010 (eBOU-52 of 4/2010) and all the doctoral programmes of the UdG are affiliated with it.

For the purpose of this document, members of the EDUdG are understood to be all persons whose activity links them to it. That includes doctoral students registered in a doctoral programme affiliated with the EDUdG, administrative and service staff who work there, researchers who participate in doctoral programmers affiliated with it, independently of their possible professional and/or contractual connection with the UdG, the representatives of the research institutions and businesses working together with the EDUdG and any other person involved, temporarily or continuously, in training or research tasks.

## 2. Commitment to disseminate and application

The Executive Committee of the EDUdG, and the director acting in its name and in representation of it, will distribute a copy of this CBP to all EDUdG personnel and will provide a copy to new persons when they join the staff.

The EDUdG will make the contents of the current CBP available through a link on its web page, so that it can be freely consulted.

The CBP will be revised by the EDUdG Executive Committee at least once a year, and always when circumstances advise it wise.

Newly revised versions of the CBP will be approved by the Executive Committee and will substitute any previous versions in force.

The Executive Committee will ensure that members of the EDUdG adapt their actions and behaviour to the current CBP.

## 3. Generals principles governing scientific activity

The world today would be incomprehensible without scientific contributions; likewise, daily life would be impossible without the technological products that are part of our existence. All scientific areas – the natural sciences, the social sciences and the humanities – have contributed to the advancement of knowledge and the quality of life. We should not forget, though, that science, like any other activity, must be based on ethical principles, which give it specifically human dignity. These principles inspire this Code of Good Practices, so that scientific activity in the EDUdG may further understanding in the world and improve the quality of human life.

**1. Research freedom.** The first of these principles is the recognition of human beings as free and independent subjects of research. Scientific interests should not prevail over those of human beings. In other words, science should serve the common good, not the opposite, and scientists and those who develop scientific policy are obliged to morally justify their aims and priorities.

Researchers should focus their work on human welfare and expanding the boundaries of scientific knowledge, while enjoying freedom of thought and expression, and the freedom to choose the methods they use to solve problems, within the framework of recognised ethical practices and principles.

Nevertheless, researchers must accept possible limitations to these freedoms, due to certain research circumstances (for example, research with living beings, collaboration with businesses), from operating limitations, such as budgetary restraints or the lack of infrastructures, or to protect intellectual property rights, especially in the industrial sector.

**2. Ethical principles.** Researchers must observe the recognised, fundamental ethical practices and principles of their disciplines, as well as any ethical regulations contained in various national, sectorial or institutional codes.

In particular, that implies respect for human dignity, especially when experiments are involved. Whenever people's health and rights are at stake, they should voluntarily give their consent, and be fully informed of the risks and possible consequences of bad or erroneous scientific experiments on them.

It also implies the recognition that research endangering the health or dignity of human beings – for example, justifications of racism or terrorism, denials of the holocaust – should not be promoted in any field of science or the humanities. Although scientists and institutions are not directly responsible for whatever use might be made of the knowledge they generate and contribute to the common heritage, they shall not be involved in projects or disseminate information when it is suspected that it might be used in inappropriate ways.

3. **Responsibility.** The third principle is the acceptance of responsibility during scientific activity. Scientists are responsible to human beings, whose rights are always sacred. They are also responsible to living organisms and to the environment, and must avoid any unnecessary suffering to live organisms and ensure the integrity and correct functioning of the Earth's ecosystem. We are responsible for the world we leave future generations, and scientists must make special efforts to promote ethical reflection so that scientific research, and its extraordinary possibilities, improves, and doesn't deteriorate, the conditions of life in the future.

This responsibility also means that researchers must do everything possible to make their research relevant and not duplicate research conducted previously by others.

They must avoid all types of plagiarism and show respect for the principle of intellectual property or of joint data ownership when research is carried out in collaboration with supervisors and/or other researchers.

If they delegate tasks, researchers must ensure that the person given the task is capable of carrying it out.

**4. Transparency.** The fourth principle implies the acceptance that research must be transparent. Scientists must always be prepared to provide information about their work, in recognition of the

importance, on one hand, of their peers' opinions to validate their discoveries and, on the other, the social impact of scientific activity.

Researchers at all levels, including researchers in training, must be aware of their obligation to report to the public or private entities that contract or subsidise them and to society in general. In addition, they are responsible for the efficient use of the funds made available to them, and must follow correct, transparent and efficient financial management principles.

**5. Contractual and legal obligations.** Researchers at all levels, including researchers in training, must be familiar with the regulations that govern training and/or working conditions. That includes regulations covering intellectual property rights and requirements of sponsoring or funding entities, independently of the nature of the contract.

**6. Security and protection.** Researchers at all levels, including researchers in training, must always follow safe working practices, in accordance with national legislation, including the adoption of necessary precautions in terms of health and safety and computer recovery in the case of accidental loss of data. They must also be familiar with the legal requirements in force in terms of data protection and confidentiality, and adopt necessary measures to always comply with them.

**7. Dissemination and use of the results.** Given that research seeks to expand the boundaries of knowledge and the well-being of the human race, the sharing and use of the research results is an obligatory and unavoidable part of this activity. Researchers must therefore ensure that the results of their research are disseminated and used. They can do this by publishing articles, issuing press releases and transferring results to other research contexts or, if necessary, by marketing them in the productive sector.

These principles suggest a strong need to subject scientific activity to good practices. Scientists are obliged to adapt their activity to the ethical principles previously mentioned. Good practices should affect research procedures and results. Scientific development requires teamwork, human and material resources, common infrastructures and project and programme management in which each researcher has well-defined tasks and responsibilities. Honesty, vocation and initiatives among scientists are not enough to ensure good scientific practices. Regulations ensuring good practices, which also respect the value of freedom and individual creativity, must be accepted and unequivocally explicit in researchers' contractual commitments to the institutions where they develop their work and to the society that supports them.

## 4. Supervision of researchers in training

**1. Assigning a tutor and a supervisor.** All students registered in a doctoral programme affiliated with the EDUdG or connected to it by contract, grant or agreement with the purpose of acquiring some type of training related to research activity (doctoral student, research support staff, undergraduate students being introduced to research tasks, doctoral students from other universities on research stays or doing postdocs, etc.) will be assigned a tutor. In addition, the EDUdG will assign a thesis supervisor to each doctoral student of the UdG within a maximum of six months after the student has registered in the programme.

2. **Responsibilities of the tutor and the supervisor.** Generally, tutors advise and guide students to ensure they meet any initial training expectations within a given timeframe, and oversee communication between students and the EDUdG's directors. The responsibilities of the supervisor are specified in the Regulatory Agreement of the Governing Council of 31 March 2011 approving the regulations of the EDUdG (eBOU-153 of 3/2011).

**3. Obligations of the tutor and supervisor.** The specific obligations of the tutor, and shared if appropriate with the thesis supervisor, are: a) to interact personally and regularly with the researchers in training assigned to them while supervising the training process; b) to schedule periodic meetings to discuss the progress made by the researchers in training and provide them with scientific and methodological updates; c) to ensure good working conditions for researchers

in training and adequately prepare them in terms of preventing workplace risks; and d) to keep the researchers in training well informed of the current legal regulations affecting scientific practice.

**4. Rights and obligations of researchers in training.** Researchers in training have different rights and obligations than other persons connected contractually with the EDUdG. The rights and obligations of researchers in training are specified in the Regulatory Agreement of the Governing Council of 31 March 2011 approving the regulations of the EDUdG (eBOU-153 of 3/2011). The tutor and, if appropriate, the thesis supervisor, must be especially diligent with researchers in training to make sure they are not assigned tasks beyond their level of training. Generally, the obligations of the researchers in training are understood to be: a) maintaining a structured and regular relationship with their thesis tutors and supervisors; b) maintaining an up-to-date record of all their research activities and of all the results and findings (which, in the case of doctoral students is done through the doctoral activity document referred to in the Regulatory Agreement of the Governing Council of 26 April 2012 approving the regulations adapted in Royal Decree 99/2011, which regulates doctoral studies at the UdG (e-BOU-329 of 4/2012)); c) regularly presenting the progress made in their work through reports and/or seminars addressed to persons working in the areas in which they develop their activity; and d) involving themselves actively in the training process by attending seminars, courses, etc. in the EDUdG, and scientific conferences and meetings in the field in which they develop their activity.

## 5. Research projects sponsored by businesses or for-profit organisations

**1. Transparency and primacy of interests.** In the exchange or transfer of knowledge and technology with private entities, public interest is paramount, and therefore agreements must be made with complete transparency. In addition, the EDUdG will establish the necessary boundaries to protect the intellectual freedom of their researchers and avoid disproportionate confidentiality obligations or unjustified restrictions on the publication of their research results.

**2. Industrial property rights.** When researchers who participate in an industry-promoted project make important contributions to its design and execution, agreements shall be established with the promoting entity to share the corresponding industrial and intellectual property.

**3. Rights related to intellectual property.** When research groups offer a technical service, or researchers participate in gathering data for a project developed by a third party, the conditions governing the communication and publication of the results obtained shall be established by mutual agreement with the promoting entity, always bearing in mind the precepts established in the section on publication, protection and dissemination practices.

**4. Financial compensation protocol.** All the agreements between the sponsoring entity and the EDUdG, in representation of the person or persons responsible for the research, shall be included in the corresponding agreement(s). The agreement(s) must include everything that refers to financial compensation directly or indirectly related to research. These agreements will be accessible to organisms, committees and persons with responsibilities over the agreed-upon matters.

## 6. Publication, protection and dissemination practices

**1. Publication in peer-reviewed journals.** In accordance with point 3.7 of this CBP, researchers shall make known their research results through various means, including the publication of articles in specialised journals in the field in which the research is developed. The results of scientific research, in any area, must always be peer reviewed. The publication of results in journals or other means after peer review is an inevitable part of research protocol. As far as possible, research results will be published in international indexed journals with a high impact factor.

**2. Protection of results with possible commercial interest.** If the research results obtained can lead to inventions or applications that may need to be protected due to their commercial interest,

the person in charge of the research project is required to communicate that to the directors of the EDUdG and to take it into account when publishing the results in scientific journals.

**3. Unpublished results.** Not publishing research results or an exaggerated delay in their publication may constitute a serious misappropriation of funds or resources. The publication of results of studies in which persons have participated as experimental subjects is an ethical imperative.

**4. Piecemeal publication.** The piecemeal publication of a single piece of research is not acceptable. Such fragmentation is only justified to extend research if it is properly acknowledged.

**5. Duplicate publication.** Duplicate or redundant publication is an unacceptable practice.

**6. Third-party bibliographic references.** In publications and patent applications or utility models it is necessary to include a reference to all the work directly related to the research and, at the same time, avoid honorific or unjustified references. Any reference to the work of third parties must adequately recognise their merit.

**7. Acknowledgements.** The acknowledgements section of a publication must be stringent. Acknowledged persons or institutions have the right to decline being mentioned. Some journals demand written authorisations from those persons whose names will appear in the acknowledgements section. The same practice can be applied to people mentioned under the heading "personal communication".

**8. Institutional and grant credits.** In conferences and other types of presentations made prior to the final publication of the research results, explicit mention must be made of: a) the institutions or centres to which the authors belong and where the research was conducted; and b) the subsidies, grants or financial sponsorships received.

**9. Social commitment and presentation in the mass media.** Researchers must ensure their research activities are made known to society at large, to improve the public's comprehension of science. Thus, the presentation of results in the mass media should always include an informative explanation or a part of the presentation adapted to a non-specialised audience. In this type of public presentation, the name of the authors must always be associated with their institutions and, whenever possible, mention made of the subsidies and grants received.

**10. Premature presentation in the mass media.** The communication and dissemination of research results in the mass media before peer review, that is to say, before being accepted for publication or presentation at certain conferences, is not acceptable.

**11. Use of publications for evaluation purposes.** When scientific publications are analysed to evaluate, and promote or compensate, a person or persons, the evaluation shall always be based on the quality and potential importance relevance of the scientific production, and not only on the name(s) of the author(s).

## 7. Authorship of scientific papers, publications and patents

**1. Condition of author.** Authorship does not depend on belonging to a profession or a specific hierarchical position, or on the type of employment, but rather on the type of research contribution.

In order to fully meet the condition of author of a publication or patent, it is necessary to: a) have substantially contributed to the creative process, that is, to its conception and design, or to the analysis and interpretation of data; b) have contributed to the preparation of the resulting communications, reports or publications; and c) be capable of presenting in detail the personal contribution to the research and of discussing the main aspects of the research as a whole.

The mere participation in obtaining resources or in gathering data such as, for example, providing routine data or experimental subjects, does not necessarily justify authorship, even though it must be recognised in the acknowledgements section. In research in which samples, analysis or third-party judgements are employed, a plan of communication and authorship, in which the potential intellectual contribution to the project and any other dimension related to the rights of authorship are taken into account, should be previously established.

Persons connected with a research group who, due to their elevated position in a hierarchy or professional rank, request to be included as authors ex officio violate academic freedom and commit an act of injustice, if not abuse of authority. Inversely, omitting the name of any person who has made proven contributions according to the criteria expressed above implies an act of misappropriation of intellectual property on the part of the remaining authors.

## 8. Conflict resolution

**1. Conflicts between persons connected with the EDUdG.** If conflicts arise between persons connected with the EDUdG, the conflict resolution procedure established for that purpose will be applied.

**2. Actions not adapted to the CBP.** If conduct not in agreement with this CBP is detected, the director of the EDUdG will mediate with the responsible person or persons in order to solve any problems that might arise.

## REGULATORY REFERENCES

### A. Human experimentation

Law 30/1979, of 27 October, on organ removal and transplant.

Declaration of Helsinki of the World Medical Association (Ethical principles for medical research involving human subjects).

Law 41/2002, of 14 November, regulating the autonomy of patients and rights and obligations with regard to clinical information and documentation.

Law 14/2006, of 26 May, on assisted human reproduction techniques.

Law 14/2007, of 3 July, on biomedical research.

Royal Decree 120/2003, of 31 January, which regulates the requirements of controlled experiments, with reproductive purposes, of fertilisation with previously frozen oocytes or ovarian tissue, related to assisted human reproduction techniques.

Royal Decree 223/2004, of 6 February, regulating clinical drug trials.

Royal Decree 65/2006, of 30 January, establishing requirements for the import and export of biological samples.

Royal Decree 1301/2006, of 10 November, establishing rules for the quality and safety of donation, procurement, evaluation, processing, preservation, storage, and distribution of human cells and tissues, and approving coordination and operating rules for its utilisation in humans.

Council of Europe Agreement related to human rights and biomedicine, ratified by Spain on 23 July 1999.

UNESCO Universal Declaration on the Human Genome and Human Rights.

**B. Use of animals in experiments**

Law 8/2003, of 24 April, on animal health.

Law 32/2007, of 7 November, concerning the care of animals in their exploitation, transport, experimentation and sacrifice.

Royal Decree 65/2006, of 30 January, establishing requirements for the import and export of biological samples.

Royal Decree 1201/2005, of 10 October, on the protection of animals used for experiments and other scientific purposes.

**C. Protection of researchers and other workers**

Law 31/1995, of 8 November, on the prevention of occupational risks.

Law 10/1998, of 21 April, on wastes.

Law 54/2003, of 12 December, on reforming the regulatory framework to prevent occupational risks.

Law 7/2007, of 12 April, on the basic public employment statute.

Royal Decree 664/1997, of 12 May, on the protection of workers against the risks related to exposure to biological agents at work (Technical Guide for Risk Assessment and Protection Related to Exposure to Biological Agents).

**D. Protection of the environment**

Law 43/2002, of 20 November, on plant health.

Law 9/2003, of 25 April, on the confined use, deliberate release and marketing of genetically modified organisms.

Law 30/2006, of 26 July, on nursery seeds and phylogenetic resources.

Law 42/2007, of 13 December, on natural heritage and biodiversity.

Royal Decree 401/1996, of 1 March, establishing the conditions for the introduction of harmful plant organisms, plant products and other objects, for testing and scientific purposes and variant selection.

Royal Decree 39/1998, of 16 January, which modifies Royal Decree 401/1996.

Royal Decree 178/2004, of 31 January, approving the general regulation for the development and execution of Law 9/2003, of 25April (Error correction, BOE 18-2-2004).

Royal Decree 58/2005, of 21 January, adopting protection measures in the introduction and spread of harmful organisms for plants or plant products, and for export and transport to third countries.

Cartagena Protocol on Biosafety of the Biological Diversity Agreement.

The International Treaty on Plant Genetic Resources for Food and Agriculture.

Antarctic Treaty on Environmental Protection (Madrid Protocol, BOE of 18 February 1998).

**E. Protection of personal data**

Organic Law 15/1999, of 13 December, on personal data protection.

Royal Decree 1720/2007, of 21 December, approving the regulations developing Organic Law 15/1999, of 13 December.

**F. Other legal texts**

Spanish Constitution of 1978.

Law 30/1992, of 26 November, of the legal regime of public administrations and common administrative procedures.

Organic Law 3/2007, of 22 March, for effective equality of women and men.

Law 14/2011, of 1 June, concerning science, technology and innovation.

Royal Decree 1/1996, of 12 April, approving the revised text of the intellectual property law.

The applicable legislation and reference standards listed above do not constitute a clear, definitive list, and any legal or regulatory precept that may significantly or tangentially affect that which is established by this Code of good Practices still applies.